

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH R. DELGADO,

Plaintiff,

v.

CHRISTOPHER SMITH, et al.,

Defendants.

No. 2:21-cv-1118 DJC CKD P

FINDINGS AND RECOMMENDATIONS

On September 21, 2023, the court ordered plaintiff to respond the court's August 22, 2023, order to show cause within 14 days. Plaintiff was warned that failure to do so would result in a recommendation that this action be dismissed. Plaintiff has not responded to the court's order.

In accordance with the above, IT IS HEREBY RECOMMENDED that this action be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for failure to follow court orders.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Any response to the

1 objections shall be served and filed within fourteen days after service of the objections. The
2 parties are advised that failure to file objections within the specified time may waive the right to
3 appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

4 Dated: October 17, 2023


CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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